



**In the Missouri Court of Appeals
Eastern District
DIVISION THREE**

DAVID KING and JAMES GOOCH,)	No. ED92509
)	
Appellants,)	
)	
vs.)	
)	
JOHN YOUNG,)	Appeal from the Circuit Court
)	of St. Charles County
Defendant,)	0511-CV01511
)	
and)	
)	
ANDRE TOWNSEL, MICHAEL BRAZIL,)	
STEVEN ANDREYUK, d/b/a)	Honorable Nancy L. Schneider
ANDREYUK, BRAZIL & TOWNSEL,)	
a Missouri Partnership,)	
)	Filed: December 22, 2009
Respondents.)	

OPINION SUMMARY

David King and James Gooch ("Appellants") appeal the grant of summary judgment in favor of Andre Townsel on their malicious prosecution claim. Appellants also appeal the judgment dismissing their malicious prosecution claims against Michael Brazil and Steven Andreyuk.¹ Appellants' malicious prosecution claims against Respondents, who are all attorneys, were based upon allegations that they improperly initiated and continued a suit in St. Charles County Circuit Court on behalf of Andre Townsel's client John Young.²

AFFIRMED IN PART AND DISMISSED IN PART.

¹ We will refer to Andre Townsel, Michael Brazil, and Steven Andreyuk collectively as "Respondents."

² Appellants also filed a malicious prosecution claim against John Young, but voluntarily dismissed him as a defendant prior to this appeal.

Division Three holds:

- (1) The trial court did not err in granting summary judgment in favor of Andre Townsel on Appellants' malicious prosecution claim.
- (2) We dismiss Appellants' appeal of the trial court's dismissal of their malicious prosecution claims against Brazil and Andreyuk because it is moot.

Opinion by: Glenn A. Norton, P.J. Mary K. Hoff, J. & Lawrence E. Mooney, J., concur

Attorney for Appellants: Lynn Myers

Attorney for Respondent Andre Townsel: John W. Rourke

Attorney for Respondent Steven Andreyuk and Michael Brazil: Yvonne M. Yarnell

THIS SUMMARY IS NOT PART OF THE OPINION OF THE COURT. IT HAS BEEN PREPARED FOR THE CONVENIENCE OF THE READER AND SHOULD NOT BE QUOTED OR CITED.